IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 422 of 2006 (M/B)

1. Pankaj Chhetri S/o Dalip Singh Chhetri,
   R/o Dandi, Nehru Gram, Dehradun,
   Uttaranchal (LLB Second Year Student),
   President Student Union, DAV (PG) College,
   Dehradun.
2. Om Prakash Sati S/o Sri M.R. Sati,
   R/o Ajabpur Khurd, Near Bypass,
   Dehradun (Ex President Student Union,
   DAV (PG) College, Dehradun)
3. Om Kakkar S/o Mr. Amarjeet Kakkar,
   R/o 14/11 Old Survey Road, Dehradun,
   (Student of MA 1st Year,
   DAV (PG) College, Dehradun.
4. Rajeev Chauhan S/o Sri R.S. Chauhan,
   R/o 168A Nala Pani Road, Dehradun,
   (Student LLB IIIrd Semester,
   DAV (PG) College, Dehradun). …….. Petitioners

Versus

1. D.D. Institute of Advance Studies,
   25 Nimbuwala, Garhi Cantt., Dehradun.
2. Tanishq College of Education,
   59/3 Rajpur Road, Dehradun.
3. Doon Ghati College of Professional Education,
   Premnagar Bazar, Doiwala, Dehradun.
4. Doon Institue of Teachers Training,
   14 Subhash Road, Abhikesh Tower, Dehradun.
5. Dr. Sushila Tiwari College of Advance Studies,
   8 Garhi Cantt. Road, Dehradun.
6. V. Hive College of Advance Studies,
   V. Hive City Central Hope Town,
   Selaquie, Chakrata Road, Dehradun.
7. Drona Institute of Teacher Education,
   Gram & PO Dharmwala, Vikas Nagar,
   Shimla Bypass Road, Dehradun.
8. The Asian School of Teachers of Education,
   Basant Vihar, Indra Nagar, Dehradun.
9. Drona College of Management & Technical Education,
   59 Subhash Road, Dehradun.
10. Rashtriya Chetna College of Teachers Education,
    Shastrinagar, Ajabpur Kalan, Dehradun.
11. Pestleweed College of Information Technology,
    Park Oak Hill Estate, Mussoorie Diversion Road,
    Dehradun.
12. Uttaranchal College of Education, Selakhurd,
    Saharanpur Road, Dehradun.

13. Sri Dev Bhoomi Institute of Education,
Via Poundha, Gram Majhon, Dehradun.
14. Dolphin Institute of Bio Medical & Natural Sansage,
Mandowala, Dehradun.
15. Sita Devi Memorial of Education & Technology,
Jwalapur, Haridwar.
16. Motherhood Institute of Management & Technology,
E-36 Industrial Area, Haridwar.
17. Industrial Institute of Progressive Studies,
Double Phatak National Highway, Roorkee.
18. Ahrihant College of Education,
Badedi, Roorkee.
19. Himalayan College Himalayan Charitable Trust,
Shiv Complex, Civil Line, Roorkee.
20. Mussoorie Management Institute of Education,
42 Barlongang, Mussoorie.
21. Mussoorie Management Institute,
Campti Road, Mussoorie.
22. Doon Institute of Education,
9 Milestone Shyampur, Rishikesh.
23. Modern Institute of Technology,,
Dhalwala, Rishikesh.
24. Smt. Manjira Devi Education & Training Society,
Dhanari, Uttarkashi.
25. Rath College, Paithani, Pauri Garhwal.
26. Institute of Management Studies,
Makhawala, Bhagwanpur, Dehradun.
27. Kukreja Institute of Teacher Education,
Dehradun.
28. Doon Valley College,
Chakrata Raod, Dehradun.
29. Doon PG College of Science & Technology & Education,
Dehradun.
30. Himalayan Doon Academy,
Bhagwanpur Roorkee, Haridwar.
31. State of Uttaranchal through Secretary,
Higher Education, Dehradun.
32. Chief Secretary,
Secretariat Complex, Dehradun, Uttaranchal.
33. University Grants Commission, New Delhi.
34. National Council for Teachers Education,
Northern Regional Committee,
A-46, Shanti Path, Tilak Nagar.
Jaipur. …….. Respondents

Mr. Gopal Narain, Advocate for the petitioners.
Mr. B.D. Kandpal, Standing Counsel for respondents Nos. 31 & 32.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Mr. Gopal Narain, Advocate for the petitioners.

Mr. B.D. Kandpal, Standing Counsel for respondents Nos. 31 & 32.

They are heard.

2. The petitioners have field this writ petition styled as 'Public Interest Litigation' for the flowing reliefs:

> "I. Issue writ, order or direction in the nature of mandamus to forbear the university authorities from running/conducting the course of B.Ed. in all the private institutions.
>
> II. To issue writ order or direction in the nature of mandamus to direct the affiliatory and regulatory bodies like N.C.T.E., U.G.C. to conduct a probe by its expert body and send its recommendation to this Hon'ble Court for further action.
>
> III. To pass such an order which this Hon'ble Court deem fit in the facts and circumstances of the case.
>
> IV. Award cost of the petition to the petitioners."

3. Mr. Gopal Narain, the learned counsel for the petitioners submits that the petitioners may be permitted to delete the first prayer.

4. Earlier also the petitioners were granted permission to amend the petition vide order dated 04.05.2006. Now, another prayer for amendment is being made on behalf of the petitioners.

5. In our opinion, instead of permitting repeated amendments in the writ petition, it would be appropriate to grant liberty to the petitioners to file a fresh writ petition for the surviving reliefs.

6. With the above liberty, the writ petition stands disposed of.

7. With the above order, CLMA No. 4440 of 2006 also stands dispose of.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C. J.)**
18.07.2006 18.07.2006

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